

REMARKS

Previously, claims 1, 2, 7-10, 13-18, 20-26, 28-32 were pending in this continuation application. After the Applicant has reviewed the Office Action from the examiner, claims 1, 23, 31, 32 are amended, and claims 2-22, 24-30 are cancelled.

First, the Examiner has rejected the claims again as obvious over Bianco. Though Bianco shares some of the chemical constituents as in the present invention, Bianco produces a generally transparent play gel, col. 2 l. 5. Bianco describes various features such as color, scent, sparkling, glowing, and extreme extension of the gel, col. 1 l. 48-60. However, Bianco does not describe printing upon the extremely extensible gel. At the percentage ranges of the present invention, the gel container has the unexpected result of accepting printing upon it, spec. p. 4 l. 15-20.

Second, the Examiner has again rejected the claims as obvious over Shapero. Shapero teaches of a play material with cross-linking alginate similar to the present invention, abstract. Shapero's material then has extremely elastic and unusual flow characteristics, col. 4 l. 3-5. Shapero continues that its formulation, Table II, produces slime like material, col. 5 l. 11 with manipulatable firmness and higher viscosity, col. 5 l. 14. Though one of ordinary skill in the art may combine the components of Shapero to make the present invention, Shapero does not provide an incentive for printing upon slime. As above, the present invention produces a freeze resistant gel receptive to printing thus an unexpected result.

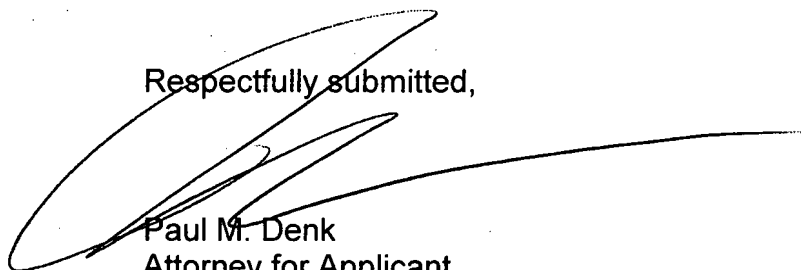
Third, the claims have been rejected as obvious over Norton once more. Norton describes an aqueous gel that includes carrageenan, col. 1 l. 6-7. The gel has a melting point that is difficult to determine so the art uses a transition midpoint temperature, col. 1 l. 46-53. Norton, in its various tables, shows gels with a transition midpoint temperature of at least 24°C or 75°F. Norton then claims a gel having a transition midpoint temperature of at least 20°C. However,

the present invention remains malleable below 0°C, much below the claimed transition midpoint temperature of Norton. Though one of ordinary skill in the art may combine the components of Norton to make a non toxic gel similar to the present invention, Norton does not provide an incentive for a gel with a transition midpoint temperature at or below the freezing point of water. As above, the present invention produces a freeze resistant gel.

The examiner's attention is directed to the case of *KSR Int'l Co. v. Teleflex, Inc.*, 82 U.S.P.Q. 2d 1385 (U.S. 2007). The court discussed that reasons, such as design incentives and market forces, can prompt a person to make a predictable variation upon existing products. *Id.* The reason must prompt a person of ordinary skill to combine the elements from the prior art as done in the claimed invention for it to be obvious. *Id.* at 1396. Here though, Bianco describes an extensible gel and lacks the design incentive to print upon the stretchy gel. Shapero produces a slime which does not provide a design incentive for printing and freeze resistance, and Norton's gels do not provide a design incentive for a gel malleable below 0°C. An invention is not found obvious by showing each of its elements existed in the prior art. *Id.* at 1396.

The remaining claims now active in this application are believed to be in condition for allowance. Favorable action by the examiner is respectfully requested.

Respectfully submitted,



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